Previous references.

B Apl 10 &1165 SR 176-09.
B Aug 08 Se 115-7 SR 69-06
B Feb 12 Se 1654 SR 115-11

Later references.

SR 118-12.
S.R 118-14 &s 1-4

1911-12

(S.R)

File No. 172-11

Serial Nos. 1165

55 P

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1165

Part B. for Mar 12

SUBJECT.

Sale of Excise privileges for 1912-13.

1. With reference to note 3155 of SR 115-11 dy 10.2.12. Submits for approval 2 draft notifications for the sale of all Excise privileges and of the date toddy shops in certain taluks for 1912-13.

2. To the Excise Commissioner. No R 3409 dy 24.2.12 Invites attention to letter no R 1765-8/SR 196-10-8 dy 30.10.11 regarding the maximum limit of private possession of opium without a permit and the practice obtaining in the C & M. States in the matter and requests an early report in the matter.

G. R/S. 58

P.T.O

G.R.S. 11] 191/

GENERAL AND REVENUE SECRETARIAT.

(8M)

NOTES.

File No 172-11

FILE HEADING.

Sale of Excise Privileges for 1912-13

From

McEwen Comer

No. 6520 Dated 20/2/12 Received 21/2/12

Diary No. 2986	Enclos. 6	Spare Copies.	Serial No. 1

BRIEF ABSTRACT OF LETTER.

With reference to No 7L 3155/8M 145-4 of 10/2/12 submits for approval 2 draft Notifications for the sale of all Excise Privileges and of the sale lots & the Terms & Conditions thereto for 1912-13.

NOTES AND ORDERS.

Some modifications to the current years Conditions are proposed and the necessity for these are all explained in the Memo accompanying the draft Notifications. The only point requiring notice

NOTES—First Sheet.

GPB—30,000—12-8-11

(2

G. R. S. 12]

General and Revenue Secretariat.

8M File No. 172 of 1911

Serial No.

R

vide page 526 of the notes in 8M 129-10

Sr 176-09 C

Recing the Revenal modifications proposed is the addition of the words "or on such person" in the 2nd line of Condition 33 in page 6.

2 This is only a repetition of the modification proposed last year and was not accepted by Govt on the ground that the Condition becomes inoperative till the Regn is amended suitably. For the same reason the proposal has been rejected this year also. The file relating to the amendment of the Forest Regn is ~~said~~ ascertained the will be seen.

3 As regards the long leases of teak &c. in certain taluks of the Province it is ~~said~~ that 3 years lease was introduced in 6 taluks in the year 1909-10 & 22 years lease was introduced in 12 other taluks in 1910-11. All these leases terminate with the

NOTE—Contn. sheet.

GPB—20,000—20-1-12

C3

G. R. S. 12]

General and Revenue Secretariat.

S/R File No. 172 of 1911

Serial No.

the 30th June 1912.

4 In S/R 115-11, the Excise Comr proposed the to complete introduction of the system of long lease in respect of all toddy shops in the Province. But this proposal was not accepted by Govt. It was however pointed out to him that the shops now worked under the triennial system may continue to be so worked for another 3 years - Withdrawn

Q

Q

No. 7315 S/R 115-11 9/10/12

Excise effects to the order, the Excise Comr proposes in the note to sell for 3 yrs. the toddy shops of only 15 taluks out of 18 where the long term lease is now in force. The taluks omitted from the operation are Sreenivasapur, Chintamani and Sidlaghatta. He has not explained why he has omitted these taluks. He has on the other hand proposed to effect the

NOTE--Contn. sheet.

GPB—20,000—20-1-12

(4

G. R. S. 12]

General and Revenue Secretariat.

SR File No. 172 of 191/

Serial No.	
	System of 3 years' lease to the toddy shops of the Bangalore City on the ground that the supply of toddy has to be brought here from a long distance and at an enormous cost. He thinks therefore that the special circumstances refd to in para 5 of G.O. No. H 615-24/SR 69-ob 5 dy 5/8/08 exist here and that it is more convenient if the shops of the City and those of the rest of the Taluk are worked on the same system. It may be said in this connection that this is so even in regard to shops of different Talukes bordering on each other but this does not prevent them from working under different systems. If it is absolutely necessary to introduce the 3 years' lease to the Bangalore City shops so as to bring it in conformity with the rest of the Taluk introduction of the same to the Station certificate

P

NOTE--Contn. sheet.

GPB—20,000—20-1-12

G. R. S. 12]

General and Revenue Secretariat.

File No. 172 of 191

Serial No.	
	maybe necessary 5th It is not clear whether the Govt is right in proposing the extension of the system of long lease to the Bangalore City & Civil & when it was ordered to be confined to the area where it now exists. If uniformity of practice is the prime consideration it is better perhaps to omit the Bangalore Taluk altogether from the system of triennial lease. We should have correspondence in the matter between the Darbar and the Residency on any possible objections that may be raised by the State Govt authorities. 6 Mr Srikantesvara Ayer's DO letter of the 20th inst on the subject is put up. Any order of the Madras Govt in favour of the long term lease in any part of that Presidency as stated by him is not readily traceable

NOTE.—Contn. sheet.

GPB—20,000—26-1-12

(6

G. R. S. 12]

General and Revenue Secretariat.

File No. 172 of 1911

Serial No.	
7	The Schedule fixing the dates of sale in the Several taluks is not attached to the Sale Notice submitted for orders Page 50 22/2/12
8	The changes proposed - the Omission of Srinivasapur, Chintamani, and Seringapatam, and the inclusion of Bangalore city - may be approved RR 23/2/12.
	If Please see notes on p. 6 of file no. 196-10 regarding the limit of private possession of opium. If the Concurrence of the Govt is necessary as noted therein, to modify the rule?
	(2) In Serial 8 of the same file we asked the Ex. Commr to report the practice prevailing in the Cdm Sta. This information does not seem to have been furnished. If Please prepare D.O. letter to Ex. Commr at once. 24/2/12
	Draft Approved Page 50 24/2/12 RR 24/2/12

This will be answered on receipt of the Commr's report called for in the resolution for which a D.O. is now being issued.
24/2/12

Secy

NOTE--Contn. sheet.

24/2/12

GPS—20,000—20-1-12

(7

G. R. S. 12]

General and Revenue Secretariat.

File No. 172 of 191/

Serial No. 7

To Mr Green Comm
No. H3402 dt 4/8/12
Incl: collector's letter
No H1765-8M 96 to 8 dt 30/7/12 regarding the maximum limit of female possession of opium without a permit and the procedure obtaining in the Chief Com. Stn in the matter and requests an early report in the matter.

From Mr Green Comm
No. 9 dt 9/8/12
Intimates that he has addressed the Collector Chief Com. Stn in the matter & that he would address you on receipt of a report from the Collector. Mr F.J. Richards.

Is the report required yet? Come - It is informally ascertained that the Collector Chief Com. Stn is awaiting the orders of the Resident (~~copy sent to Bo~~ ~~already sent to Bo~~) in the matter. File resubmitted for orders &c.

last immp.

NOTE--Contn. sheet.

GPB—20,000—20-1-12

(8

G. R. S. 12]

General and Revenue Secretariat.

S/A File No. 172 of 191/

Serial No.	
	the Sale Notes have been published in the Gazette
	Rec'd 13/3/12
	We have noting the above the following comm^n was passed from the Genl Comm^r
3	from Mercantile Comm^r No 7246 dt 8/12/12.
	Forwards copy of letter No 6758 dt 7/3/12 from the Collector Cuttack & Magistrate Khurda stating that the question has been referred to the Board the Resident sanctioning the limits of one tola for crude & quarter tola for smoking preparations & his orders are awaited.
	Submitted for orders Rec'd 50 13/3/12
	R.R 14.3.12
	If the draft Notification may be approved. The changes made are of minor importance — P.T.O.

NOTE—Contn. sheet.

GPE—20,000—20-1-12

G. R. S. 12]

General and Revenue Secretariat.

File No. 172 of 191

Serial No.

It is proposed to sell the toddy Shops in the Bangalore City on a three year lease as the Toddy Shops are sold once in three years. If this is approved, we may perhaps intimate the fact to the Resr, though it is difficult to see how the Cd. Stn will be ~~Effe~~ affected by the change.

(2) The proposed addition of the words "or such person" to rule 33 of Condition XIX (p. 6) Cannot be approved as the addition is useless till the Regulation is amended. We omitted the words last year on the same consideration and we omitted it this year in the Foreign Liquor Not.

yes, omit
Ag
4/3

(3) It is proposed, in the draft Not. to limit the private possession of opium to one tola as against the existing limit of three tolas. The proposed change will be in accordance with the new Madras rule though the Cd. Stn authorities have not yet told us whether they will also adopt the alteration. There

NOTE—Contra. sheet.

GPB—20,000—20-1-12

(10)

G. R. S. 12]

General and Revenue Secretariat.

File No. 172 of 1911

Serial No.

is no time to wait further

(4) The only other change calling for notice is that proposed to be made in rule 2 of Condition XXI (p8) by which the power of granting leases in reserved areas for tapping is to be vested in the Excise Commr. This is said to be necessary to conserve date-areas. If the change leads to delay in the granting of permission we are sure to learn it in time & it may be sanctioned now

14/3/12

Sec'y

2nd Cr

14/3/12

14/3/12

15/3/12

Issue orders early

15/3/12

NOTE—Contra. sheet.

Draft Lr 15/3/12

GPB—20,000—20-1-12

(11)

G. R. S. 12]

General and Revenue Secretariat.

8M File No. 172 of 191(

Serial No.

17 As it is understood that the extension of the long-term lease of Cubbon Road to Bangalore City Police and the reduction of the private possession of opium to one tola have also been approved, 3 drafts are submitted herewith

1st draft observing the Notification

2nd draft modification of the opium rules.

3rd draft a letter to the Residency about the long lease of City Police Station

Page 50
16/8/12
Initialled

18 Drafts approved about the body shop.

19 The draft about opium does not seem to be all right. Please bring up in person

16/8/12

20 As proposed

16/8/12

abt 18

NOTE—Contn. sheet.

GPB—20,000—20-1-12

G. R. S. 12]

General and Revenue Secretariat. | S. R. File No. 172 of 1911

Serial No.	
4	To the Excise Com no Fl 3915 dt 18-3-12 Approves of the draft notification with an alteration
5	To the P.A. Resident no. Pol 780 dt 18-3-12 Intimates that the Darbar approve of the Excise Com's proposal to extend the system of three years lease to the Toddy Shops in the Bangalore city
6	To the Compiler, Mysore Gazette no. Fl 3923 dt 18/3/12 Notifies the amendment of the opium rules substituting one tola for three tolas as the limit for the private possession of the Drug

This notification has been recorded separately as Sl no 9 of G.S.R. 196-10

NOTE—Contn. sheet.

GPB—20,000—20-1-12

2986 Rec'd 21st

Rs 65.20

E 6

OFFICE OF THE EXCISE COMMISSIONER IN MYSORE

Bangalore, dated 21 February 1912.

From

To

The *Excise Commissioner in Mysore.*

The *Secretary to the Government of*
His Highness the Maharaja of Mysore,
General and Revenue Departments.

SIR,

Adverting to correspondence ending with your letter No. Fl.3155/S.R.115-11-10, dated the 10th Instant, I have the honor to submit herewith for approval of Government two draft Notifications embodying the conditions of Sale of Excise privileges for annual and triennial leases, and to state that as regards toddy the Taluks now worked under a biennial lease have been included with those on the triennial lease at present. The contractors of the Bangalore City toddy shops now working under an annual lease are labouring under a great disadvantage in having the Taluk shops close by leased out for two years. Besides the inconvenience of working different systems in the same Taluk is obvious. If any shops in the - - Province deserve the grant of a greater fixity of tenure owing to a large outlay for transporting toddy from distant localities they are the Bangalore City toddy shops which depend upon other Taluks for their supply of toddy. They have, therefore, been brought under the same category as the Taluk shops.

2. A Memorandum explaining the changes proposed is herein enclosed for favour of information.

I have the honor to be,
Sir
Your most obedient servant,

for Excise Commissioner.

No. 1912

From. ...

The *Excise Commissioner in Mysore.*

To

The *Secretary to the Government of*
H. H. the Maharaja of Mysore,
Genl. and Rev. Depts.

Dated

Despatched 20 - 2 - 12

Received

General No. 6520

Enclosure No. 6

SUBJECT.

Submitting for approval
of Govt two draft Notificat
embodying the conditions o
sale of Excise privileges
annual and triennial le

GPB—1,000—31-7-09

S.A-115-11.1-4
B26/12

Urgent

H.H. Maharaja's Government
Residency
Bangalore
20th Feb 1912

20/2/12

Dear Balasundaram,

I have passed the draft of notifications of the appointing Extra Judges for one & three years.

As regards the bills I beg to invite special note of Sections 6 & 8 proposed to be added

opposed by one or more Members. Sir C. Sankaran Nair & Mr. Krishna Rao are therefore anxious that one or more Judges

This notification has not yet appeared & may be one or two months & it is a very long affair, & considerable hardship may be involved.

Yours sincerely

Sankaran Nair

24/2/12

3

G.R.S. 26]

Fil No. 12

Serial 4

2

Diary No. of letter replied to 2986

No. 7L 3409

General and Revenue Secretariat

(8/2)

, *the* 19 .

To

Secretary,

24-2-1912

Signed by Mr S. Hiriyannaya

Dear Sir,

May I invite your kind attention to this office letter No. 7L-1765/Secl S.R. 196-10-8 dated the 30th Oct 1911 on the regarding the maximum limit of private possession of opium without a permit, and the practice obtaining in the C&M Station, Bangalore, on the matter. I shall be highly obliged if you will kindly furnish me with a report on the subject at once.

Yours truly

Sd

May I invite your kind attention to this office letter No. 7L1765/Secl S.R. 196-10-8 dated the 30th Oct 1911 regarding the reduction in the maximum limit for the possession of opium without a permit and request you to forward to me at your earliest

over.

SUBJECT.

To C. Srikanteswara Iyer Esq.

These words were omitted after taking acted by the Assistant Secretary, when typing the [illegible] copy:—

"at your earliest convenience the information is required for the disposal of the reference regarding sale of opium for the year 1912-3."

Copy 24/2/12

List of enclosures,

Copied by

Examined by

GPB—10,000—28-2-11.

D. O.

GOVERNMENT OF MYSORE.

OFFICE OF THE EXCISE COMMISSIONER IN MYSORE,

Bangalore, dated 1 March 1912.

Dear Balakrishnaiah,

Referring to your
special reference of June
from 3 to 1st Feb. I have
been in communication with
Mr. Richards, who promised
to have enquiries carried
out by his subordinates
from the 1st to the 15th

5

G.R.S. 13]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

This is a reply to a reminder sent from here asking the Sr. Cs. to furnish information regarding the practice in the C & M. Station, Bangalore with respect to the quantity of Opium that one can keep. The information was required in connection with a file dealing with the modification of some Excise Notifications.

Nothing, however, has to be done at present.

RR.
1.3.12.

Seen — Thanks
4/3/12

4/3/12

N. B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

GPB—85,000—21-4-09

No 7246
E/

D32698 b
SPH 172-1184(3)

OFFICE OF THE EXCISE COMMISSIONER IN MYSORE,

Bangalore, dated 9th March 1912.

11-3-12

From

C. Srikantesvara Aiyar, Esq., B.A., B.L.,
Offg: Inspector General of Police,
in charge of the office of the
Excise Commissioner in Mysore.

To

C.S. Balasundram Iyer, Esq., B.A.,
Offg: *Secretary to the Government of*
His Highness the Maharaja of Mysore,
General and Revenue Departments.

SIR,

With reference to correspondence ending with your letter No. Fl. 1765/S.R.196-10-8, dated 30-10-1911, regarding the maximum limit of private possession of Opium, I have the honor to forward herewith for your information copy of letter No. 1075, dated 7th March 1912, on the subject, from the Collector, Civil and Military Station, Bangalore.

I have the honor to be,

Sir,

Your most obedient servant,

Srikantesvara Aiyar

for Excise Commissioner.

19

From

C. Hil[illegible]ter, Esq., B.A., L
Offg: Inspector General of Police,
in charge of the office of the
Excise Commissioner in Mysore.

To

J.J. Balakrishnam Iyer, Esq., B.A.
Offg *Secretary to the Government of*
H. H. the Maharaja of Mysore,
Genl. and Rev. Depts.

Dated [illegible] March 1912.

Despatched 11-3-12.

Received

General No. 7226

Enclosure No. /

SUBJECT.

For [illegible] information c
of letter No. 1075, dated 7th inst
from M. Sellakutty, Civil & Milita
Station, Bangalore, anent the petit
-ion of Ibrahim. (Limit of private)

Diary No. 3268

[illegible] 11-3-12

[illegible] SR

[illegible] 172-11

[illegible] No. 3

Enclosure #283

Copy of letter No. 1075, dated 7th March 1912, from the Collector, Civil and Military Station, Bangalore, to the Excise Commissioner in Mysore.

-- ----------

With reference to your letter No. 6597, dated 21st February 1912, regarding the limit of possession of Opium for private use in the Station, I have the honor to state that the question has been referred for the orders of the Hon'ble the Resident proposing the limit of one tola for crude Opium and half a tola for smoking preparations, and his orders are awaited.

"Copy"

Bramanna

for Excise Commissioner.

3. Drafts

G.R.S. 28.]

File No. 172/11

Serial No. 4

Diary No. of letter replied to 3268.

Proceedings of the Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE SECRETARIAT.

(S/L)

READ-- Correspondence regarding the letter No 72468 11/3/12 from the Excise Comr in Mysore Relative to for a draft Notification for the Sale of Excise privileges for the Year 1912-13 & another Draft for the Sale of toddy licences in certain Talukas for a period of 3 years from 1912-13

, *the* 19

Date of issue

Signed by

ORDER THEREON, ETC.

over

SUBJECT.

GPB—10,000—19-4-10

Copy sent

Order Sheet No. 3915 of 18-3-12

Approved.

2. The words "or on such person" at the end of the 2nd line of ~~the~~ Condition No 33 of ~~the~~ are useless till the Govt Regn is amended and they deemed therefore be omitted.

For MCIA

The Govt Comp returning the Notes

12/50

21/3/12

10
72

3 Drafts

G.R.S. 26] File No. 11
Serial No. 5

Diary No. of letter replied to 3286

Pol. No. 180

General and Revenue Secretariat
(8th)
the 19 .

To The Resident in Mysore

Date of issue 18-3-1911

Signed by
Mr. S. Balasundaramiyer

I am directed to state that ~~state~~ ultimate action has been taken upon the repeated representations of the members of the Indian Representative Assembly supporting the long term leases of lands in the State for 3 years lease and Government have decided in certain selected

over.

SUBJECT.

of the State in respect
of Sale Todd Shops in
the year ~~[illegible]~~ 1909-10
It is recorded that
the Government has
announced well acct
the Wynbonum of Visits
were unanimous in
proposing that the
system should be
given effect to as early
as possible. Govt
are however of opinion
that further trial
is necessary before
the three years' lease
can be made absolute
& ~~Bangalored~~ the ~~Todd~~ Shops of the Bangalore
Salem (Atkinson & Tuckey Shops)
which are to be sold
under the long term
lease viz Fifteen years
lease. The Excise Comr
considers it ~~necessary~~ desirable
to extend the ~~Todd~~ system

List of enclosures, Todd Selling
the privilege of ~~selling~~ in the

Enclosures
Nil
18/3/12

Copied by

Examined by

GPB—20,000—23-9-10

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation Sheet draft form.*)

GPB—10,000—22-2-11

13

M E M O R A N D U M .

The following changes are proposed to be made in the Notifications for the sale of Excise privileges of annual and triennial leases for 1912-13 and 1912-15.

(1) In line 10, rule 3 of condition XIX the words " and night " are added to provide for keeping the shops sufficiently lighted during the nights also as according to rule 8 of condi-tion XIX they will be open till 9 P.M.

(2) In the foot-note to rule 21 of condition XIX, the limit of private possession of opium has been reduced from 3 tolas to one tola in accordance with the correspondence ending with Secretary's letter No. Fl.1765/S.R.196-10-8, dated 30th October 1911. A report will be submitted separately on this subject.

(3) At the end of the third sentence in Rule 31 of condition XIX, the following is added : -

" at the discretion of the Deputy Commissioner, who may either direct such forfeiture ~~the whole~~ or appropriate the same towards the arrears due by the defaulter as well as towards the deficits, if any, arising from the resale or other disposal of the privi-lege ".

Prior to the year 1909-10, the Deputy Commissioners had the discretion of either for-feiting the deposits or of appropriating the same towards the arrears due. The existing rule requiring that all such deposits will be liable to forfeiture appears to work hard on the

licensees

(6) To provide against the indiscriminate grant of trees in reserved areas which has, in some cases, given room for complaints and with a view to better conserve such trees, the following clause is added to rule (2) of condition XXI at the end of " lands " in line 5' -

" In the case of trees on Government un--occupied lands reserved for future use, the previous sanction of the Excise Commissioner should be obtained before accepting applications for licensing them."

15-2-1912. for Excise Commissioner.

OFFICE OF THE EXCISE COMMISSIONER IN MYSORE, BANGALORE.

EXCISE DEPARTMENT.

Notification No. ~~7994~~, *dated* ~~26th March~~ 1910.

NOTICE OF SALE OF DATE TODDY SHOPS FOR A PERIOD OF Three ~~TWO~~ YEARS FROM 1912 TO ~~1912.~~ 1915.

Notice is hereby given that the exclusive privilege of selling toddy in the several shops noted below appointed for the purpose and published in the Schedule during the ~~two~~ three years beginning 1st July 1912 and ending 30th June 1915, will be put up to public auction by Deputy Commissioners or Revenue Assistant Commissioners or District Officers of the Excise Department or other officers specially authorized by the Deputy Commissioners for the purpose, on the dates and at the Taluk Head-quarters mentioned in the statement annexed, subject to the conditions hereinafter set forth. If the sales are not completed on the dates fixed, they will be continued on the next following days, close holidays excepted.

Conditions of Auction Sale.

II. A deposit must be made by each bidder previous to bidding and will be received *by the selling officer on the day of sale.* A deposit of Rs. 50 will ordinarily be required from any person wishing to bid for any important shop or any large number of shops. This will be reduced to Rs. 20 in the case of bidders for not more than two or three shops of an aggregate monthly value of Rs. 50 or less and to Rs. 5 in the case of bidders for single small shops. In the case of shops whose average monthly rental is very small, the selling officer may fix such other reasonable amount as he may deem fit.

III. (*a*) The shops will be put up to public auction in the order in which they are notified in the Schedule unless the selling officer sees reason to change that order. The upset price at which the shop or shops will be put up to auction will be the average of the three previous years' rentals. This price will not be lowered and if there are no bids for or above the upset price, the shop or shops will generally be sold for a period of one year only, and then the conditions applicable to the annual lease of toddy shops by auction will apply to these shops also.

(*b*) The Deputy Commissioners have full discretion to work the scheme of the two years' lease if the rentals realized for the whole taluk is not less than the average of the three previous years' rentals, though individual shops may not fetch a rental equal to the average of its three previous years' rentals.

(*c*) The rentals and the consumption of the previous three years together with their average will be published for the information of bidders.

(*d*) The privilege in any coffee estate may be sold to the planter for a fixed amount not less than Rs. 12 per shop per annum.

(*e*) Toddy shops in alienated villages whose claims to the Excise Reveune from toddy have been recognized or have not yet been settled shall invariably be sold separately and the amounts connected therewith shall be shown in the accounts under a distinct head.

IV. Every shop should as a rule be sold independently. Grouping should be resorted to only under very exceptional circumstances limiting the number of shops so grouped strictly to the necessity of the occasion.

V. No person will be allowed to bid for another unless he holds a power-of-attorney from the latter.

VI. No shops will be knocked down in the name of two or more persons unless they represent a duly recognized company or firm by means of a power-of-attorney. The selling officer shall refuse to register as a purchaser any one in whose name the bidding has not proceeded.

VII. The officer conducting the sale may, at his discretion, refuse to accept the bid of any person on the ground that it is too low or that he has been convicted by a Criminal Court or has previously been guilty of such a breach of the conditions of a license or of a contract under the Excise Regulation or Opium Act, as to render him undesirable as a holder of a license or on the ground that he is insolvent or to prevent arrangements to the detriment of Government interests or for any other valid reason. He may also refuse any bid which he may consider to be purely speculative after recording his reasons for doing so. Village officers will not be allowed to bid for or to have any pecuniary interest in shops for the sale of intoxicants within the limits of their villages.

VIII. The shops will be knocked down to the highest bidder, but the sale will be subject to formal confirmation by the Deputy Commissioner, who shall be at liberty to accept or reject any bid at his discretion. Such formal confirmation will be tantamount to an

acceptance of the bid unless revised by the Government on the advice of the Excise Commissioner for special reasons and will be necessary whether the sale be held by the Deputy Commissioner himself or by any officer appointed by him.

IX. In cases of dispute at the time of auction the selling officer's decision shall be final; and if for any reason the highest bid is rejected the next highest shall be taken or the shop re-sold at his discretion

X. Tenders after auction shall not generally be accepted. Shops remaining unsold at the first auction shall ordinarily be disposed of by re-auction later on. But the Deputy Commissioner has full discretion on this point.

XI. At the close of each day's sale, the deposits made by the unsuccessful bidders will be returned to them. As the auction proceeds, each person whose bid is accepted shall at once, if so required by the selling officer, or otherwise at the close of the day's sale, make a further deposit* of ~~one half~~ two months' rent (in addition to the deposit made under condition II) for each shop unless the initial deposit equals or exceeds ~~four~~ three month's rent. Should he fail to do so, the deposit made by him under condition II will be forfeited and the shops willl be put up again immediately to auction by the selling officer on the above conditions or otherwise disposed of by the Deputy Commissioner and the defaulter will be debarred from bidding again for the same or for any other shop. In the case of a foreigner, however, the further deposit made under condition 2 may be raised to one month's rent in addition to the deposit unless the initial deposit equals or exceeds 2 months' rent

(For this alteration vide G.P. no. H 4521-2 SR 126-49 dated 2-4-1950)

XII. Persons to whom shops have been knocked down and who have made deposits as provided in conditions II and XI shall leave their address with the selling officer, in order that the confirmation of the sale may be communicated to that address by a notice and they shall also* deposit such further sum as with the former deposits will make up ~~four~~ two months' rent. Such deposit should be paid into the Taluk Treasury within seven days from the date of communication of the notice of the Deputy Commissioner's acceptance of the bid by its presentation to themselves or to any adult male member of their family at the place of the said address, or by its despatch duly registered by post. They shall then *without unnecessary delay* execute the necessary engagements and take out licenses on the conditions hereinafter set forth. In the case of a purchaser's death after signing the agreement, it will be binding on his heirs and assigns. Should the initial deposit exceed the sum required to be deposited under this condition, the excess will be refunded unless the purchaser is required to make a deposit (twice that sum) under condition XIII *infra*.

XIII. If on enquiry subsequent to sale, the purchaser shall be found to be of doubtful solvency or a foreigner having no sufficient property in the Mysore State he may be required either to deposit twice the sum prescribed in condition XII *supra* or to get a surety or sureties, residents of and possessing sufficient property in the Mysore State, to execute a security bond for the due payment of all moneys that may become due by him under the terms of the contract. The bond shall be stamped (Article 32 of Schedule I of the Mysore Stamp Regulation, II of 1900) and also registered at the expense of the purchaser if the amount secured exceeds Rs. 1,000.

XIV. As soon as the sales are over, the sale conducting officer shall forward a list of the successful bidders to the Amildar of the taluk concerned, who shall enquire into the solvency of, and record the amount of deposit or surety required from each purchaser. He should submit the list so prepared to the selling officer within five days of its receipt and the latter should submit the same with his remarks to the Deputy Commissioner for confirmation without delay.

XV. On the failure of any person to make deposit under condition XII or to comply with the requisition under condition XIII *supra* or to execute engagements and take out licenses as aforesaid, the deposits already made ~~may~~ shall be forfeited and the shop be re-sold or otherwise disposed of at the discretion of the Deputy Commissioner.

XVI. Re-sales effected under condition XV will be at the risk of the defaulting bidder, who will forfeit all gain, and, in the event of loss, will be required to make good the deficiency between the total amount payable for the whole period under the terms of the original sale and the total amount payable by the successful bidder at the re-sale. In the latter case the forfeited deposit will be deducted from the loss arising from the re-sale, and the remainder, if any, will be recoverable from the defaulter in the same manner as if it were an arrear of land revenue. Should, however, the forfeited deposits be greater than the loss by re-sale, the whole of such deposits will be credited to Government. The defaulting bidder will be similarly liable if the privilege is disposed of otherwise than by re-sale and such disposal results in loss to Government as compared with the original sale.

XVII. The purchaser of the privilege is liable to the penalties prescribed for breaches of the conditions set forth below though a formal license may not have been issued to him.

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* Deposits may be in cash or other approved security.

XVIII. The deposit referred to in condition XII or condition XIII, as the case may be, will be taken as security for the due performance of the conditions of the license. If the Amildar and the licensee so agree it may be credited towards the last instalments of the khists payable by the latter.

XIX. The licenses issued under the above clauses will contain the following general conditions common to all Excise and Opium licenses and the special conditions prescribed below for toddy licenses :—

General conditions applicable to all Excise and Opium Licenses.

(1) The manufacturers of arrack and other country spirits as well as the licensees of Arrack Bonded Depots are prohibited from holding any interest in the retail vend of arrack or in the vend of other intoxicants, and from employing any person who has such interest. This prohibition does not extend to the wholesale supply by the manufacturers of special liquors or of rectified spirit to licensed vendors.

(2) The limits within which sales under any Excise or Opium licenses may be carried on, will be specified by the Deputy Commissioner at the time of the grant of the license. The sale or possession (except subject to the rules applicable to unlicensed persons) of liquor, intoxicating drugs or opium outside those limits is prohibited, except with the special permission of the Deputy Commissioner.

NOTE—1. Successful bidders will be allowed to open their shops anywhere within the limits to be announced at the time of sale by the Deputy Commissioner or other officer authorized by him, subject to the approval of the particular site selected.

NOTE—2. Successful bidders will be required to furnish the Inspector with boundary lists of particular sites selected by them within ten days from the date of sale.

(3) Sales must be conducted in a suitable building of which the whole or part must be entirely set aside for use as a depot or shop. If there are means of communications between the depot or shop, and an adjoining dwelling house, they must be kept locked at night. In the case of arrack shops in municipalities or towns having a population of 5,000, and over, the shop premises shall have no doors except into the main street; no windows or other opening shall be allowed to the rear or at the ends of the building; there shall be no possible means of ingress or egress in any other direction; the bar at which the sale is held shall be opposite the entrance door, and so situated that all persons inside can be seen by any one passing to and fro in the street, and no second room shall be used for sale, or be kept open for customers. The interior of the shop shall be sufficiently lighted by day and the shop shall not be used as a place of residence, save by the vendor and his family or care-takers and night and the premises shall be kept clean and in a sanitary condition

(4) Except in the case when two or more foreign liquor licenses are held by one person, sales under each license issued must be in different premises (Chemists and Druggists and Medical Practitioners excepted). The possession upon any licensed premises of any liquor, intoxicating drug or opium except that to which the license relates, or of any essence or substance used or capable of being used for colouring or flavouring liquor is prohibited. But intoxicating drugs made from opium other than morphia or preparations for smoking may be prepared and sold in shops licensed for the sale of opium.

(5) A signboard must be affixed to the front of each depot or shop showing the nature and number of the license under which sales are conducted there, the name of the licensee and (except in the case of foreign liquor or special liquors) the current rate of sale. These particulars must be legibly painted in the local vernacular. The license must be hung up in a conspicuous place within.

(6) All liquor, intoxicating drugs and opium sold or kept for sale shall be of good quality and unadulterated. Nothing shall be added to them either to increase their intoxicating power or for any other purpose except the manufacture of intoxicating drugs in accordance with the terms of a license. All officers authorized to inspect depots and shops (*vide* condition 25 *infra*) are authorized to detain any liquor, intoxicating drug or opium found unfit for consumption or use, or which they may believe to have been tampered with, and the Excise Commissioner, Deputy Commissioners and District Excise Officers are empowered to destroy such as are found unfit for consumption or use.

(7) The sale or transport of liquor, intoxicating drugs or opium by persons below the age of sixteen or by persons suffering from leprosy or any cantageous disease, and the employment of such persons in shops or depots for the sale of the same are prohibited. ~~The Deputy Commissioner may, where necessary, call for the names of all persons employed or proposed to be employed in depots or shops and~~ forbid the sale of liquor, intoxicating drugs or opium by any person of whom he may disapprove.

(8) No depot or shop shall be opened before sunrise or kept open after 9 P.M. except under special authority. In the cities of Bangalore and Mysore and in the Kolar Gold Fields, sales after 9 P.M. will be allowed only in special cases under separate licenses and on payment of such fees as may be prescribed by the Excise Commissioner,

* List of the names of all persons employed or proposed to be employed in depots or shops shall be recorded in the Taluk Cutcherry by the license-holder. The Amildar shall be competent to &c.

(9) No drunkenness, disorder or gaming shall be permitted in depots or shops. Entertainments of any kind in depots or shops are also strictly forbidden.

(10) No robbers or thieves or disorderly or riotous persons or prostitutes or soldiers or others known or believed to be deserters shall be harboured in depots and shops. Intimation of their resort thereto shall be given to the nearest Magistrate or Police Officer.

(11) No person shall be harboured in any depot or shop during the night.

(12) Depots and shops situated on or adjacent to the line of march must be closed, if the Deputy Commissioner so orders, while a regiment or detachment of European or Native soldiers is passing or is encamped in the vicinity. Deputy Commissioners or Revenue Assistant Commissioners shall have power also to close any shops temporarily in times of religious excitement or disturbance. Every depot and shop-keeper shall, on his own motion, close his depot or shop when there is riot or disturbance in the neighbourhood.

(13) The Deputy Commissioners may order the transfer of depots and shops from one locality to another provided the distance is not more than two hundred yards or the closure of the same. But no new shops shall be opened except with the previous sanction of the Excise Commissioner.

(14) The right is reserved to the Deputy Commissioner to grant "occasional licenses" for the sale of liquor, intoxicating drugs and opium, on the occurrence of fairs, festivals, etc., in places in the vicinity of which there are no regularly licensed shops. Such licenses shall ordinarily be granted to the shop-keepers who usually supply the locality or to the representatives of the renter. Their period shall not exceed fifteen days and the fee to be paid therefor shall be fixed at the Deputy Commissioner's discretion unless he decides to sell the same by public auction.

(15) No liquor, intoxicating drug or opium shall be sold or given—

(*a*) Except at shops specially approved by the General Officer Commanding the Division (or Independent Brigade) or the Officer Commanding the Cantonment or Camp, and then only in respect to such liquors as shall be approved by the same authority in consultation with the local Excise authorities and specified in the license.

(1) to sailors of the Royal Navy soldiers and the members of their families, or

(2) to any other person living in barracks;

(*b*) (1) to persons whom a vendor knows, or has reason to believe, to be camp followers, *i.e.*, all class of followers (other than private servants) whether on or off duty, who have a right to be in cantonments

(2) to policemen, Excise officers and Railway servants when on dury; or,

(*c*) In any circumstances, to any—

(1) European vagrant under escort of the Police;

(2) Child under sixteen years of age

(3) Insane person; or

(4) Person known or believed to be in'oxicated.

(16) No privilege of supply or vend shall be sold, transferred or sub-rented without the Excise Commissioner's previous permission which will only be given if the applicant is prepared to forfeit his deposit already made except in cases where the Excise Commissioner sees reason not to enforce the penalty. Nor, if the Deputy Commissioner so orders, shall any agent be appointed for the management of any such privilege without his previous approval.

(17) No holder of any Excise or Opium license will be allowed, without the written permission of the Excise Commissioner to possess or continue to possess any interest direct or indirect in any Excise or Opium license outside the Territories of Mysore, or in the Civil and Military Station of Bangalore.

(18) Depots and shops must be kept open unless their temporary or permanent closure is authorized under condition 12 or 13 *supra* and such supply of liquor, intoxicating drugs or opium as the Deputy Commissioner may consider sufficient to meet local requirements must be maintained therein. Shops not opened by 1st July shall be liable to be resold at the risk of the licensees.

(19) No liquor, intoxicating drug or opium shall be sold in shops except for cash. The licensee shall be bound to give intimation of the offer of anything other than cash to the nearest Magistrate or Police Officer. This condition is not, however, meant to restrict credit

sales in the ordinary course of business by shop-keepers or firms of standing and respectability dealing in foreign and special liquors for consumption off the premises.

(20)* No liquor, intoxicating drug or opium shall be sold below or above such minimum or maximum or fixed prices as may be prescribed for the sale of the same in accordance with the law for the time being in force.

(21)† No liquor, intoxicating drug or opium in excess of the quantity prescribed for possession without a license shall be permitted to be removed by any person at any one time from any licensed premises without a valid permit.

(22) True accounts of transactions shall be maintained from day to day in ink in the prescribed form. The account and permit books may be obtained from the Local Excise Officers on production of receipts for the payment of the cost price into a Government Treasury. Permits for liquor, intoxicating drugs or opium received and the counterfoils of permits issued must be carefully filed. The signing of blank permits for subsequent issue is prohibited. The accounts and counterfoils of permits shall be preserved for one year after the period covered by the license and shall be produced when called for by any Excise officer not below the rank of an Assistant Inspector.

(23) Such returns and information as may be required from time to time by any Officer not below the rank of an Excise Assistant Inspector shall be furnished by holders of licenses without delay

(24) Only such weights and measures as may from time to time be prescribed by the Excise Commissioner shall be possessed or used on any licensed premises. The possession or use of weights or measures that are incorrect on any licensed premises will render the licensee liable to punishment. Earthen measures may, however, be used provided they are of the same capacity as those of the prescribed measures which must however be maintained in all licensed premises

(25) Any officer of the Excise Department of rank not lower than Sub-Inspector is authorized to inspect licensed shops and depots. These officers are empowered to enter and examine the premises, to test weights and measures in use and the liquor, intoxicating drugs and opium in the possession of licenses, and to call for and check the accounts kept in the shop or depot. Police Officers will also make inspections when it comes within the scope of their duty.

(26) An inspection note book, with the pages numbered consecutively, for inspecting officers to enter their remarks in, shall be maintained and be handed over to the Excise Inspector in charge of the Range or any officer authorized by him to receive it on a receipt being given therefor.

(27) The amount for which the privilege has been purchased shall be payable in twelve equal monthly instalments into a Government Treasury on or before the 20th of each month beginning with July. The licensee of a jatra shop shall pay the rent thereof in full before the jatra begins.

NOTE—In the malnad and semi-malnad taluks the Deputy Commissioners may permit patels of villages who are not themselves licensees to receive payments not exceeding Rs. 50 from any individual at a time.

(28) No remission or abatement of the rent shall be claimable on any account whatever.

(29) Any sum due by a licensee may be recovered by attachment and sale of the property of the licensee or his surety, under any law for the time being in force for the recovery of arrears of land revenue or adjusted from the deposit, if any, made by him at the commencement of the lease. He shall be bound to replace any sums adjusted from his deposit within fifteen days of receipt of notice from the Amildar.

(30) Power is further reserved to Revenue Officers to suspend licenses in case of failure of payment of khists or (in the case of toddy) tree-tax also on the due dates. In the case of arrack, toddy and drug shops this power will be exercised by Amildars and in other cases by the Deputy Commissioners.

(31) In the event of the aforesaid arrack, toddy or drug licensee failing to pay his khist ~~by the end of the month for which it is due~~, the Amildar with the sanction of the Deputy Commissioner by record in writing and after suspending the license shall re-sell on the ~~1st of~~ last working day of the month ~~following~~ (close holidays excepted) the privilege of sale with effect from the date of issue of license to the new purchaser or the privilege may be otherwise disposed of ~~at the~~ subject to the Deputy Commissioner's ~~discretion~~ confirmation. All losses on account of suspension and resale or other disposal of the privilege shall be borne by the defaulting licensee, but he shall have no right to gain, if any, which accrues. The whole of the deposit, if any, made at the commencement of the lease will be liable to forfeiture. The officer who has power to suspend the license may, however, at his discretion, allow sales to continue pending re-sale or other disposal of the privilege.

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*1. Arrack 25 Under Proof—Fixed price 2 annas per dram.
2. Ganja—~~Fixed price~~ 2 annas per tola.
3. Opium—~~Fixed price 9 annas per tola.~~
4. Toddy—Minimum price as notified in the Schedule.

†1. Arrack—One reputed quart.
2. Toddy—Four imperial quarts or one gallon.
3. Ganja—Four tolas.
4. Opium—~~Three tolas.~~ One Tola
5. Foreign Liquors—Two gallons.

minimum selling price

the vendor may

at the discretion of the Deputy Commissioner who may either forfeit the whole or appropriate the same towards the arrears due by the defaulter as well as towards the deficits if any arising from the resale or other disposal of the privilege.

(32) Interest on all moneys due shall be payable at the rate of one pie per rupee per mensem or part thereof.

(33) Infraction of any of the conditions of the license either by a licensee or by any person in his employment will entail on the licensee—~~or on such person~~

either (*a*) fine up to Rs. 50 ;

or (*b*) forfeiture of deposits, if any, and cancellation of license and resale or other disposal of the privilege at the risk of the licensee.

The licensee or his agent may also be prosecuted for the specific offence committed. The rent for the whole lease shall become due at once, when a lease is cancelled under this condition.

NOTE—For continuing breaches of a license, continuing fines may be imposed.

(34) Any license may be forfeited and the privilege be re-sold or otherwise disposed of at the risk of the licensee if the licensee be convicted before a Magistrate of any offence against the $\frac{\text{Excise Regulation}}{\text{Opium Act}}$ or of any offence under the Indian Penal Code, which in the Deputy Commissioner's opinion renders him unfit to hold it. *The purchaser of a privilege is liable to the penalties prescribed in this condition if he is convicted of any such offence as above contemplated after the confirmation of the sale of the privilege to him though before issue of a formal license.* Forfeiture of any license under this clause shall involve forfeiture of the balance of all deposits after payment to Government of all sums due under the lease.

(35) Licensees are bound to report to the Deputy Commissioner all instances which come to their knowledge of persons employed by them in the manufacture, carriage or sale of liquor, opium and intoxicating drugs, committing breaches of the Excise Opium Laws or of engagements entered into by them and to comply with the Deputy Commissioner's orders respecting the continued employment of such persons. No persons who have been convicted under the Indian Penal Code shall be employed in the carriage or sale of liquor, opium and intoxicating drugs without the Deputy Commissioner's previous permission.

(36) Pecuniary dealings by licensees of any kind whatever with officials of the Excise Department are absolutely prohibited.

(37) With the sanction of the Excise Commissioner, any license shall be revocable by the Deputy Commissioner at his discretion on giving the licensee fifteen days' notice of such revocation, in which case a proportionate part of the fee paid will be refunded.

(38) All licensees shall be bound by any additional general rules that may be prescribed under the Excise or Opium Laws, and, if so required by the Deputy Commissioner or any officer authorized by him, to deliver up their licenses for amendment or for the issue of fresh ones.

(39) No licensee shall have claim to any compensation or remission on account of any arrangements which may be made in regard to liquors or intoxicating drugs other than those to which his license relates.

(40) No licensee of any one kind of liquor shop shall, during the term of such license, have any interest in the exclusive privilege of vending any other kind of liquors within five miles from it nor shall he permit any person having such interest to hold any share or interest in his exclusive privilege.

~~XI~~ XI. Conditions applicable to Toddy Licenses.

(1) The exclusive privilege conferred by the license extends to the sale of Date, Palmyra, ~~and~~ Cocoanut ~~toddy~~. Pagani and Podesal toddy. But in tracts where both date and pagani Toddy shops exist, the

(2) For the supply of toddy to his shops, the licensee shall have the privilege of obtaining, subject to tree-tax rules, toddy-yielding trees in the groves assigned to his shops or groups of shops, and he shall be at liberty to manufacture toddy from the trees in private lands, under private arrangements between himself and the owners of such lands ; provided where such trees are situated close to or within the area of any other shop not worked by him, the previous sanction of the District Excise Officer should be obtained before applying for a license to ~~tap the same~~. He may purchase toddy from any licensed toddy shop-keeper on application to the Inspector, who will grant the required permits on proof of the necessity for the same.

(3) No toddy except the produce of tree for the tapping of which a license has been issued shall be kept in the shop or offered for sale or sold.

(4) The licensee shall be responsible to Government for all payments of instalment of fees due on account of tree-tapping licenses granted on his application in his own name or in the names of his nominees under the conditions set forth therein and in the rules relating thereto.

(5) If any instalments are not paid within the time, the tapping license shall be liable to be cancelled or suspended under Section 26 of the Excise Regulation.

(6) In case of default, the Amildar with the Deputy Commissioner's permission, or other officer appointed for the purpose by the Deputy Commissioner, will

↓ Licensee of the date Toddy shop shall not tap pagani trees and the licensee of the pagani Toddy shop shall not tap date trees; ~~that~~ both licensees can tap any of the other palm trees named above.

* In the case of trees on Government unoccupied lands reserved for future use the previous sanction of the Excise Commissioner should be obtained before accepting applications for licensing them

order the suspension of the tapping license till the arrears are paid up; and if, after receiving notice of such suspension, the defaulter continues to tap the trees, he will be prosecuted for illicit tapping.

(7) Tree-rent at Re. 0-4-3 per annum shall be paid at the time of application for a tapping license for all Government trees applied for being tapped for the supply of toddy shops whether within or outside the Mysore Territories or in the Civil and Military Station, Bangalore.

NOTE—No trees on Government unoccupied land can be tapped without the consent of the owner. The present arrangements as regards trees in alienated land will hold good, subject of course to the levy by Government of tree-tax.

(8) The tapping of date trees is subject to the following conditions:—

(*a*) Date trees shall be tapped only by professional men.

(*b*) Trees tapped one year shall not ordinarily be tapped the next year.

(*c*) Trees shall not be over-tapped or over-worked.

(*d*) In no date trees shall the initial incision be made at any point less than three feet from the ground except in places where permission is specially given by the Deputy Commissioner.

(*e*) The depth and width of the incision shall not exceed one-third of the diameter of the tree, and the length of it shall not exceed eight inches.

(*f*) Every fresh incision shall not be less than one foot above the last incision except in localities where permission is specially given.

(*g*) The central spike-like clusters shall not be touched. Of the lateral leaves not less than two layers of leaves shall be left, reckoning from the layers immediately next to the central clusters down to the top line of the incision; or in other words, above the top line of the incision not less than eight leaves shall be left excluding the central spike-like clusters, on that face of the tree on which the incision is made.

(*h*) The licensee shall not cut or injure or permit to be cut or injured the trees licensed to him or any other trees.

(*i*) The licensee or his employer will be liable to pay a fine of one rupee for each tree in excess of three per cent of the number of trees marked for him, which may die from over-tapping or careless tapping either during the lease or within six months after its expiration. He will be liable to pay a similar fine for every tree which he prepares for tapping if it dies in consequence of such preparation before he taps it.

(*j*) The licensee will not be entitled to compensation for any trees withdrawn or taken up for public purposes or for any trees standing on the banks or beds of irrigation works under the control of the Public Works Department which that department may require to cut down or strip of their leaves or branches.

(*k*) When the licensee makes default and his shop is re-sold, his rights to and claims on Government trees cease and determine.

(9) The licensee shall not interfere with the persons holding license for cutting date leaves for mat-making, rope-making, basket-making or for agricultural or other purposes when they make use of the trees assigned for such purposes, and not reserved for tapping.

(10) Deputy Commissioners may, subject to the orders of the Excise Commissioner, from time to time, prescribe the minimum number of trees for which license will be granted, and the minimum number to be entered in a single application. They may also direct that the trees situated in one village only shall be included in an application.

(11) The distillation of spirit from toddy is absolutely prohibited.

(12) If the licensee of a group of shops wishes to establish a depot for depositing toddy required for distribution to his shops, he shall obtain a license for it in the prescribed form. The passes issued with the toddy transported, shall be subject to examination and check by the officers authorized in this behalf.

(13) Tree-foot sales or sales in the open or the disposal of toddy in any other manner unauthorized by the rules, are strictly prohibited.

(14) The licensee or his vendors shall not sell to any person more than three measuring seers of toddy to be consumed by the person at one time in the shop, nor shall it be sold to the public at less than the retail rates fixed by Government and mentioned in the Schedule. Toddy can be removed without a permit for consumption up to the limit of one imperial gallon or four seers.

(15) In every grove where toddy-yielding trees are tapped, a ladder shall always be kept by the tap-men to enable Excise Officers to examine spathes or incisions as the case may be

(16) The licensee shall pay the usual mohatarfa tax on carts used for conveying toddy but such carts shall not be impressed for Government work.

(17) The following rules shall regulate the issue, etc., of licenses under Section 12 of the Mysore Excise Regulation, V of 1901, for the tapping of toddy producing trees and for the drawing of toddy therefrom :—

1. Tree-tapping licenses in the prescribed form shall be issued on the application—
   (*a*) of licensed toddy shop-keepers or of their duly authorized agents ;
   (*b*) of toddy shop-keepers or renters in the Madras Presidency ; and
   (*c*) of tree-owners in coffee estates, hittals and kans in malnad free of the prescribed tree-tax for drawing toddy for *bona fide* domestic purposes as per Government Order No. 11897-906—Excise 485, dated 28th June 1898, for such number of trees as may be found necessary by the Excise Commissioner.

   The licenses may be issued in the name of the applicant himself or of his nominee.

2. Application for the grant of tree-tapping licenses must be made in the prescribed form to the Excise Inspector of the Range concerned through the local Treasury. Forms may be obtained from him or the Assistant Inspectors under him. Applicants must first pay the first instalment of tree-tax together with the tree-rent on Government trees due on account of the trees which they desire to tap.

3. The tree-tax on toddy produced by trees in the Madras Presidency but consumed in the Mysore State, will be credited to the Mysore Government. The rate of tree-tax to be paid in such cases will invariably be the highest in force on either side of the frontier. Tree-tax on trees in the Madras Presidency for which tapping licenses are about to be taken out by Mysore shop-keepers, must be paid in one instalment to the Amildar of the taluk concerned in the Mysore State, who will grant a receipt in the prescribed chellan form and certfiy at the foot that the applicant is a person entitled to take out tree-tapping licenses. The applicant will then make his application to British authorities in accordance with the Madras Government Tree-tapping Rules, and will obtain a transport permit from the Inspector concerned in the Mysore State for the transport of the toddy drawn from the frontier to the shop or depot for which it is intended, after having complied with all requirements of the Madras Government Rules.

4. Applications for tree-tapping licenses, for trees in occupied or alienated lands, should be countersigned by the owner of the trees intended to be marked in token of his consent. Applications for tree-tapping licenses for trees in the State Forest and plantations should be countersigned by the Forest Range Officer in token of his consent.

and such counter signature shall in the case of illiterate owners be alleged by the Patel or Shanbhog of the village in which the trees stand

5. On receipt of an application, the Inspector will at once take steps for the marking of the tree by an officer superior in rank to a Sub-Inspector, or, in special cases by an officer not inferior in rank to a Sub-Inspector and for the timely issue of the license. Applicants for date trees shall get the requisite spaces on their stems prepared and point out to the marking officer, when required by the latter to do so, the trees applied for by them.- Should they fail to do so, after reasonable notice, the tree-tax and tree-rent paid by them shall be liable to be forfeited at the Deputy Commissioner's discretion.

6. No tree shall be tapped, nor shall toddy be drawn from any toddy tree, nor shall any pot be attached to any toddy tree until the tree has been marked by the proper officer. But the removal of leaves for the purpose of making incisions and the preparation of the spathes or incisions for the drawing of toddy is permitted as soon as the application in the prescribed form has been delivered to the Treasury concerned.

7. For all toddy-yielding trees, tree-tapping licenses shall be annual from the 1st July to the 30th June next irrespective of the time when the application for a tree-tapping license is made. For the convenience of the licensee, the applications for tree-tapping licenses will be received, trees will be marked, and licenses will be issued during the fifteen days and pots may be attached to such marked trees during the eight days, immediately preceding the period to which they relate to take effect from the commencement of such period. Provided that no toddy shall be removed from the trees except during the currency of such license.

(8) The following shall be the fees payable on account of each tree for the tapping of which license is applied for :—

Description of trees.	Rates of tree-tax per tree per annum. Rs. a. p.	
Date	... ~~1 8 0~~	1-8-0
Cocoanut	... ~~2 6~~ 0	2-6-0
Palmyra	... ~~1 9 6~~	1-12-0

NOTE.—The licenses will be free of tax to the Mysore Government in the cases specified in clause 17 (1) (*c*) supra.

* Bagani or sago - 2-0-0
Dadasal (Arenga wightii) 0-12-0

(9) The tree-tax shall be payable in the following instalments, unless the Excise Commissioner shall otherwise direct :—

Period within which license is applied for	Proportion of tree-tax to be paid at the time of application for license	Proportion of tree-tax to be paid on the ~~first of the third month~~ last day of the second month
Between 1st July and 31st March next...	~~One-third~~ One-half ...	The remaining ~~two-thirds~~. half.
Between 1st April and 30th June next ...	The whole	.....

~~DATE OF SALE.~~

District	No.	Name of taluk	Date
Bangalore	1	Bangalore	25th April 1910.
	2	Dodballapur	10th May 1910.
	3	Nelamangala	7th do
	4	Hoskote	16th do.
	5	Anekal	19th do
Kolar	6	Sidlaghatta	9th do
	7	Srinivaspur	25th April 1910.
	8	Chintamani	29th do
Mysore	9	Mandya	27th do
	10	Seringapatam	21st May 1910.
	11	Nanjangud	23rd April 1910.
Chitaldrug	12	Molkalmuru	9th May 1910.

~~M. NARAIN RAO,~~
~~*Offg. Excise Commissioner.*~~

~~GPB—200—4-1-10.~~

Schedule

District	Taluk	Date of sale
Bangalore.	1. Bangalore ✓ 2. Devanhalli ✗ 3. Dodballapur ✓ 4. Nelamangala ✓ 5. Hoskote ✓ 6. Anekal ✓	Sreenivasa Chintamani omitted S S. Palam omitted
Kolar.	7. Chikballapur ✗ 8. Sidlaghatta ✓	
mysore.	9. Nanjangud ✓ 10. T. Narsipur ✗ 11. Malavalli ✗ 12. Mandya ✓	
Kadur.	13. Mudigere ✗	
Shimoga.	14. Shimoga ✗	
Chitaldurg.	15. Molakalmuru ✓	

15th February 1912

For Excise Commissioner.

EXCISE DEPARTMENT.

NOTIFICATION.

NOTICE OF SALE OF EXCISE AND OPIUM PRIVILEGES.

No. ~~7976~~, *dated* ~~6th April~~ ~~1911~~.

Notice is hereby given that the exclusive privilege of selling liquor, intoxicating drugs, and opium in the several shops appointed for the purpose and published in the Schedule during the twelve months beginning 1st July 1911 and ending 30th June 1912, will be put up to public auction by Deputy Commissioners or Revenue Assistant Commissioners or District Officers of the Excise Department or other officers specially authorised by the Deputy Commissioners for the purpose, on the dates and at the Taluk or Sub-Taluk Headquarters mentioned in the statement annexed, subject to the conditions hereinafter set forth. If the sales are not completed on the dates fixed, they will be continued on the next following days, close holidays excepted.

Conditions of Auction Sale.

II. A deposit must be made by each bidder previous to bidding and will be received *by the selling officer on the day of sale.* A deposit of Rs. 50 will ordinarily be required from any person wishing to bid for any important shop or any large number of shops. This will be reduced to Rs. 20 in the case of bidders for not more than two or three shops of an aggregate monthly value of Rs. 50 or less and to Rs. 5 in the case of bidders for single small shops. In the case of shops whose average monthly rental is very small, the selling officer may fix such other reasonable amount as he may deem fit.

III. The shops will be put up to auction in the order in which they are notified in the Schedule unless the selling officer sees reason to change that order. Upset prices will be fixed at the discretion of the selling officer. The reserve price placed by Government on the shops will not be published but the rentals and the consumption of the previous three years will be notified for the information of bidders.

Note 1.—The privilege of vending toddy in any Coffee Estate may be sold to the Planter for any fixed amount not less than Rs. 12 per shop per annum.

Note 2.—Toddy shops in alienated villages whose claims to the Excise revenue from toddy have been recognized or have not yet been settled, shall invariably be sold separately, and the amounts connected therewith shall be shown in the accounts under a distinct head.

IV. Every shop should as a rule be sold independently. Grouping should be resorted to only under very exceptional circumstances limiting the number of shops so grouped strictly to the necessity of the occasion.

V. No person will be allowed to bid for another unless he holds a power-of-attorney from him.

VI. No shops will be knocked down in the name of two or more persons unless they represent a duly recognized company or firm by means of a power-of-attorney. The selling officer shall refuse to register as a purchaser any one in whose name the bidding has not proceeded.

VII. The officer conducting the sale may, at his discretion, refuse to accept the bid of any person on the ground that it is too low or that he has been convicted by a Criminal Court or has previously been guilty of such a breach of the conditions of a license or of a contract under the Excise Regulation or Opium Act, as to render him undesirable as a holder of a license or on the ground that he is insolvent or to prevent arrangements to the detriment of Government interests or for any other valid reason. He may also refuse any bid which he may consider to be purely speculative after recording his reasons for doing so. Village officers will not be allowed to bid for or to have any pecuniary interest in shops for the sale of intoxicants within the limits of their villages.

VIII. The shops will be knocked down to the highest bidder, but the sale will be subject to formal confirmation by the Deputy Commissioner, who shall be at liberty to accept or reject any bid at his discretion. Such formal confirmation will be tantamount to an acceptance of the bid unless revised by the Government on the advice of the Excise Commissioner for special reasons and will be necessary whether the sale be held by the Deputy Commissioner himself or by any officer appointed by him.

IX. In cases of dispute at the time of auction, the selling officer's decision shall be final; and if for any reason the highest bid is rejected, the next highest shall be taken or the shop resold at his discretion.

X. Tenders after auction shall not generally be accepted. Shops remaining unsold at the first auction shall ordinarily be disposed of by re-auction later on. But the Deputy Commissioner has full discretion on this point.

XI. At the close of each day's sale, the deposits made by the unsuccessful bidders will be returned to them. As the auction proceeds, each person whose bid is accepted shall at once, if so required by the selling officer, or otherwise at the close of the day's sale, make a further deposit* of half a month's rent (in addition to the deposit made under condition II) for each shop unless the initial deposit equals or exceeds two months' rent. Should he fail to do so, the deposit made by him under condition II will be forfeited and the shops will be put up again immediately to auction by the selling officer on the above conditions or otherwise disposed of by the Deputy Commissioner, and the defaulter will be debarred from bidding again for the same or for any other shop. In the case of a foreigner, however, the further deposit may be raised to one month's khist in addition to the deposit made under condition II unless the initial deposit equals or exceeds two months' rent.

XII. Persons to whom shops have been knocked down and who have made deposits as provided in conditions II and XI shall leave their address with the selling officer, in order that the confirmation of the sale may be communicated to that address by a notice, and they shall also deposit* such further sum as with the former deposits will make up two months' rent. Such deposit should be paid into the Taluk Treasury within seven days from the date of communication of the notice of the Deputy Commissioner's acceptance of the bid by its presentation to themselves or to any adult male member of their family at the place of the said address or by its despatch duly registered by post. They shall then *without unnecessary delay* execute the necessary engagements and take out licenses on the conditions hereinafter set forth. In the case of the purchaser's death after signing the agreement, it will be binding on his heirs and assigns. Should the initial deposit exceed the sum required to be deposited under this condition, the excess will be refunded unless the purchaser is required to make a deposit (twice that sum) under condition XIII *infra*.

XIII. If, on enquiry subsequent to sale, the purchaser shall be found to be of doubtful solvency or a foreigner having no sufficient property in the Mysore State, he may be required either to deposit twice the sum prescribed in condition XII *supra* or to get a surety or sureties, residents of and possessing sufficient property in the Mysore State, to execute a security bond for the due payment of all moneys that may become due by him under the terms of the contract. The bond shall be stamped (Article 32 of Schedule I of the Mysore Stamp Regulation, II of 1900) and also registered at the expense of the purchaser if the amount secured exceeds Rs. 1,000.

XIV. As soon as the sales are over, the sale-conducting officer shall forward a list of the successful bidders to the Amildar of the taluk concerned, who shall enquire into the solvency of, and record the amount of deposit or surety required from each purchaser. He should submit the list so prepared to the selling officer within five days of its receipt and the latter should submit the same with his remarks to the Deputy Commissioner for confirmation without delay.

XV. On the failure of any person to make deposit under condition XII or to comply with the requisition under condition XIII *supra* or to execute engagements and take out licenses as aforesaid, the deposits already made shall be forfeited and the shop be resold or otherwise disposed of at the discretion of the Deputy Commissioner.

XVI. Re-sales effected under condition XV will be at the risk of the defaulting bidder, who will forfeit all gain, and, in the event of loss, will be required to make good the deficiency between the total amount payable for the whole period under the terms of the original sale and the total amount payable by the successful bidder at the re-sale. In the latter case, the forfeited deposits will be deducted from the loss arising from the re-sale, and the remainder, if any, will be recoverable from the defaulter in the same manner as if it were an arrear of land revenue. Should, however, the forfeited deposits be greater than the loss by re-sale, the whole of such deposits will be credited to Government. The defaulting bidder will be similarly liable if the privilege is disposed of otherwise than by re-sale and such disposal results in loss to Government as compared with the original sale.

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* Deposits may be in cash or other approved security.

XVII. The purchaser of the privilege is liable to the penalties prescribed for breaches of the conditions set forth below though a formal license may not have been issued to him.

XVIII. The deposit referred to in condition XII or condition XIII, as the case may be, will be taken as security for the due performance of the conditions of the license. If the Amildar and the licensee so agree, it may be credited towards the last instalments of the khists payable by the latter.

XIX. The licenses issued under the above clauses will contain the following general conditions common to all Excise and Opium licenses and the special conditions prescribed below for each particular kind:—

General Conditions applicable to all Excise and Opium Licenses.

The manufacturers of arrack and other country spirits as well as the licensees of Arrack Bonded Depots are prohibited from holding any interest in the retail vend of arrack or in the vend of other intoxicants and from employing any person who has such interest. This prohibition does not extend to the wholesale supply by the manufacturers of special liquors or of rectified spirit to licensed vendors.

2. The limits within which sales under any Excise or Opium licenses may be carried on will be specified by the Deputy Commissioner at the time of the grant of the license. The sale or possession (except subject to the rules applicable to unlicensed persons) of liquor, intoxicating drugs or opium outside those limits is prohibited except with the special permission of the Deputy Commissioner

Note 1.—Successful bidders will be allowed to open their shops anywhere within the limits to be announced at the time of sale by the Deputy Commissioner or other officer authorized by him, subject to the approval of the particular site selected.

Note 2.—Successful bidders will be required to furnish the Inspector with boundary lists of particular sites selected by them within ten days from the date of sale.

3. Sales must be conducted in a suitable building of which the whole or part must be entirely set aside for use as a depot or shop. If there are means of communications between the depot or shop and an adjoining dwelling house, they must be kept locked at night. In the case of arrack shops in Municipalities or towns having a population of 5,000 and over, the shop premises shall have no doors except into the main street; no windows or other opening shall be allowed to the rear or at the ends of the building; there shall be no possible means of ingress or egress in any other direction; the bar at which the sale is held shall be opposite the entrance door and so situated that all persons inside can be seen by any one passing to and fro in the street, and no second room shall be used for sale, or be kept open for customers. The interior of the shop shall be sufficiently lighted by day and night and the shop shall not be used as a place of residence save by the vendor and his family or caretakers and the premises shall be kept clean and in a sanitary condition.

4. Except in the case when two or more foreign liquor licenses are held by one person, sales under each license issued must be in different premises (Chemists and Druggists and Medical Practitioners excepted). The possession upon any licensed premises of any liquor, intoxicating drug or opium except that to which the license relates, or of any essence or substance used or capable of being used for colouring or flavoring liquor is prohibited. But intoxicating drugs made from opium other than morphia or preparations for smoking may be prepared and sold in shops licensed for the sale of opium.

5. A signboard must be affixed to the front of each depot or shop showing the nature and number of the license under which sales are conducted there, the name of the licensee and (except in the case of foreign liquor or special liquors) the current rate of sale. These particulars must be legibly painted in the local vernacular. The license must be hung up in a conspicuous place within.

6. All liquor, intoxicating drugs and opium sold or kept for sale shall be of good quality and unadulterated. Nothing shall be added to them either to increase their intoxicating power or for any other purpose except the manufacture of intoxicating drugs in accordance with the terms of a license. All officers authorized to inspect depots and shops (*vide* condition 25 *infra*) are authorised to detain any liquor, intoxicating drug or opium found unfit for consumption or use, or which they may believe to have been tampered with, and the Excise Commissioner, Deputy Commissioners and District Excise Officers are empowered to destroy such as are found unfit for consumption or use.

7. The sale or transport of liquor, intoxicating drugs or opium by persons below the age of sixteen or by persons suffering from leprosy or any contagious disease and the employment of such persons in shops or depots for the sale of the same are prohibited. Lists of the names of all persons employed or proposed to be employed in depots or shops shall be recorded in the Taluk Cutcherry by the license-holder. The Amildar shall be competent to

forbid the sale of liquor, intoxicating drugs or opium by any person of whom he may disapprove.

8. No depot or shop shall be opened before sunrise or kept open after 9 P.M., except under special authority. In the Cities of Bangalore and Mysore and in the Kolar Gold Fields, sales after 9 P.M. will be allowed only in special cases under separate licenses and on payment of such fees as may be prescribed by the Excise Commissioner.

9. No drunkenness, disorder or gaming shall be permitted in depots or shops. Entertainments of any kind in depots or shops are also strictly forbidden.

10. No robbers or thieves or disorderly or riotous persons or prostitutes or soldiers or others known or believed to be deserters shall be harboured in depots and shops. Intimation of their resort thereto shall be given to the nearest Magistrate or Police Officer.

11. No person shall be harboured in any depot or shop during the night.

12. Depots and shops situated on or adjacent to the line of march must be closed, if the Deputy Commissioner so orders, while a Regiment or Detachment of European or Native soldiers is passing or is encamped in the vicinity. Deputy Commissioners or Revenue Assistant Commissioners shall have power also to close any shops temporarily in times of religious excitement or disturbance. Every depot and shop-keeper shall on his own motion close his depot or shop when there is riot or disturbance in the neighbourhood.

13. The Deputy Commissioners may order the transfer of depots and shops from one locality to another provided the distance is not more than two hundred yards, or the closure of the same. But no new shops shall be opened except with the previous sanction of the Excise Commissioner.

14. The right is reserved to the Deputy Commissioner to grant "Occasional licenses" for the sale of liquor, intoxicating drugs and opium, on the occurrence of fairs, festivals, etc., in places in the vicinity of which there are no regularly licensed shops. Such licenses shall ordinarily be granted to the shop-keepers who usually supply the locality or to the representatives of the renter. Their period shall not exceed fifteen days and the fee to be paid therefor shall be fixed at the Deputy Commissioner's discretion unless he decides to sell the same by public auction.

15. No liquor, intoxicating drug or opium shall be sold or given—

(*a*) except at shops specially approved by the General Officer Commanding the Division (or independent Brigade) or the Officer commanding the Cantonment or Camp, and then only in respect to such liquors as shall be approved by the same authority in consultation with the local Excise authorities and specified in the license—

(1) to sailors of the Royal Navy, soldiers and the members of their families, or

(2) to any other person living in barracks;

(*b*) (1) to persons whom a vendor knows, or has reason to believe, to be camp followers, *i.e.*, all class of followers (other than private servants) whether on or off duty, who have a right to be in cantonments;

(2) to Policemen, Excise Officers and Railway servants when on duty; or,

(*c*) in any circumstances, to any—

(1) European vagrant under escort of the Police;

(2) child under 16 years of age;

(3) insane person; or

(4) person known or believed to be intoxicated.

16. No privilege of supply or vend shall be sold, transferred or sub-rented without the Excise Commissioner's previous permission, which will only be given if the applicant is prepared to forfeit his deposit already made except in cases where the Excise Commissioner sees reason not to enforce the penalty. Nor, if the Deputy Commissioner so orders, shall any agent be appointed for the management of any such privilege without his previous approval.

17. No holder of any Excise or Opium License will be allowed, without the written permission of the Excise Commissioner to possess or continue to possess any interest direct or indirect in any Excise or Opium License outside the Territories of Mysore, or in the Civil and Military Station of Bangalore.

18. Depots and shops must be kept open unless their temporary or permanent closure is authorised under condition 12 or 13 *supra* and such supply of liquor, intoxicating drugs or opium as the Deputy Commissioner may consider sufficient to meet local requirements must

be maintained therein. Shops not opened by 1st July shall be liable to be re-sold at the risk of the licensees.

19. No liquor, intoxicating drug or opium shall be sold in shops except for cash. The licensees shall be bound to give intimation of the offer of anything other than cash to the nearest Magistrate or Police Officer. This condition is not, however, meant to restrict credit sales in the ordinary course of business by shop-keepers or firms of standing and respectability dealing in foreign and special liquors for consumption off the premises.

20. No liquor, intoxicating drug or opium shall be sold below or above such minimum or maximum or fixed prices as may be prescribed for the sale of the same in accordance with the law for the time being in force.

21. No liquor, intoxicating drug or opium in excess of the quantity prescribed for possession without a license shall be permitted to be removed by any person at any one time from any licensed premises without a valid permit.

22. True accounts of transactions shall be maintained from day to day in ink in the prescribed form. The account and permit books may be obtained from the local Excise Officers on production of receipts for the payment of the cost price into a Government Treasury. Permits for liquor, intoxicating drugs or opium received and the counterfoils of permits issued must be carefully filed. The signing of blank permits for subsequent issue is prohibited. The accounts and counterfoils of permits shall be preserved for one year after the period covered by the license and shall be produced when called for by any Excise Officer not below the rank of an Assistant Inspector.

23. Such returns and information as may be required from time to time by any officer not below the rank of an Excise Assistant Inspector shall be furnished by holders of licenses without delay.

24. Only such weights and measures as may from time to time be prescribed by the Excise Commissioner shall be possessed or used on any licensed premises. The possession or use of weights or measures that are incorrect on any licensed premises will render the licensee liable to punishment. In the case of Toddy shops, earthen measures maybe used provided they are of the same capacity as those of the prescribed measures.

25. Any officer of the Excise Department of rank not lower than Sub-Inspector is authorised to inspect licensed shops and depôts. These officers are empowered to enter and examine the premises, to test weights and measures in use and the liquor, intoxicating drugs and opium in the possession of licensees, and to call for and check the accounts kept in the shop or depôt. Police Officers will also make inspections when it comes within the scope of their duty.

26. An inspection note book, with the pages numbered consecutively, for inspecting officers to enter their remarks in shall be maintained, and be handed over to the Excise Inspector in charge of the Range or any officer authorised by him to receive it on a receipt being given therefor.

27. The amount for which the privilege has been purchased shall be payable in twelve equal monthly instalments into a Government Treasury on or before the 20th of each month beginning with July. The licensee of a jatra shop shall pay the rent thereof in full before the jatra begins.

NOTE.—In the malnad and semi-malnad taluks, the Deputy Commissioners may permit patels of villages who are not themselves licensees to receive payments not exceeding Rs. 50 from any individual at a time.

28. No remission or abatement of the rent shall be claimable on any account whatever.

29. Any sum due by a licensee may be recovered by attachment and sale of the property of the licensee or his surety, under any law for the time being in force for the recovery of arrears of land revenue or adjusted from the deposit, if any, made by him at the commencement of the lease. He shall be bound to replace any sums adjusted from his deposit within fifteen days of receipt of notice from the Amildar.

30. Power is further reserved to Revenue Officers to suspend licenses in case of failure of payment of khists or (in the case of toddy) tree-tax also on the due dates. In the case of arrack, toddy and drug shops this power will be exercised by Amildars and in other cases by the Deputy Commissioners.

31. In the event of the aforesaid arrack, toddy or drug licensee failing to pay his khist, the Amildar with the sanction of the Deputy Commissioner by record in writing and after suspending the license shall re-sell on the last working day of the month for which the

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*1. Arrack 25° Under Proof—Fixed price 2 annas per dram.
2. Ganja—Minimum selling price at 2 annas per tola.
3. Opium—The Vendor may fix his own price.
4. Toddy—Minimum price as notified in the Schedule.

1. Arrack—One reputed quart.
2. Toddy—Four imperial quarts or one gallon.
3. Ganja—Four tolas.
4. Opium—~~Three tolas~~ 1 Tola
5. Foreign Liquors—Two gallons.

khist is due (close holidays excepted) the privilege of sale with effect from the date of issue of license to the new purchaser or the privilege may be otherwise disposed of subject to the Deputy Commissioner's confirmation. All losses on account of suspension and re-sale or other disposal of the privilege shall be borne by the defaulting licensee, but he shall have no right to gain, if any, which accrues. The whole of the deposit, if any, made at the commencement of the lease will be liable to forfeiture. The officer who has power to suspend the license may, however, at his discretion, allow sales to continue pending re-sale or other disposal of the privilege.

32. Interest on all moneys due shall be payable at the rate of one pie per rupee per mensem or part thereof.

33. Infraction of any of the conditions of the license either by a licensee or by any person in his employment will entail on the licensee ~~or on such person~~ .

either (*a*) fine up to Rs. 50;

or (*b*) forfeiture of deposits, if any, and cancellation of license and re-sale or other disposal of the privilege at the risk of the licensee.

The licensee or his agent may also be prosecuted for the specific offence committed. The rent for the whole lease shall become due at once, when a lease is cancelled under this condition.

NOTE.—For continuing breaches of a license, continuing fines may be imposed.

34. Any license may be forfeited and the privilege be re-sold or otherwise disposed of at the risk of the licensee if the licensee be convicted before a Magistrate of any offence against the *Excise Regulation or Opium Act* or of any offence under the Indian Penal Code, which in the Deputy Commissioner's opinion renders him unfit to hold it. *The purchaser of a privilege is liable to the penalties prescribed in this condition if he is convicted of any such offence as above contemplated after the confirmation of the sale of the privilege to him though before issue of a formal license.* Forfeiture of any license under this clause shall involve forfeiture of the balance of all deposits after payment to Government of all sums due under the lease.

35. Licensees are bound to report to the Deputy Commissioner all instances which come to their knowledge of persons employed by them in the manufacture, carriage or sale of liquor, opium and intoxicating drugs, committing breaches of the Excise or Opium Laws or of engagements entered into by them and to comply with the Deputy Commissioner's orders respecting the continued employment of such persons. No persons who have been convicted under the Indian Penal Code shall be employed in the carriage or sale of liquor, opium and intoxicating drugs without the Deputy Commissioner's previous permission.

36. Pecuniary dealings by licensees of any kind whatever with officials of the Excise Department are absolutely prohibited.

37. With the sanction of the Excise Commissioner, any license shall be revocable by the Deputy Commissioner at his discretion on giving the licensee fifteen days' notice of such revocation, in which case a proportionate part of the fee paid will be refunded.

38. All licensees shall be bound by any additional general rules that may be prescribed under the Excise or Opium Laws and, if so required by the Deputy Commissioner or any officer authorized by him, to deliver up their licenses for amendment or for the issue of fresh ones.

39. No licensee shall have claim to any compensation or remission on account of any arrangements which may be made in regard to liquors or intoxicating drugs other than those to which his license relates.

40. No licensee of any one kind of liquor shop shall, during the term of such license, have any interest in the exclusive privilege of vending any other kind of liquors within five miles from it, nor shall he permit any person having such interest to hold any share or interest in his exclusive privilege.

XX. Conditions applicable to Arrack Licenses.

1. The privilege conferred by the license extends only to the sale of arrack ordinarily of the strength of 25° U. P. and with the special permission of the Deputy Commissioner to the sale of spirits of other strengths. In places where there are no shops for the vend of foreign liquors or special liquors manufactured in the Government Central Distillery at Bangalore or where the foreign liquor shop-keepers do not undertake to sell the special or double distilled liquors of such strength as may be fixed by the Excise Commissioner, the holder of the arrack shop license of approved character may, with the sanction of the Excise Commissioner, be permitted to sell the same in duly corked sealed bottles not to be drunk on the premises subject to conditions otherwise applicable to the sale of arrack. Similarly in places where separate shops are not licensed for the sale of sugar cane jaggory arrack or special liquors, the arrack shop-keeper may be permitted to sell jaggory arrack in reputed pint or quart bottles.

2. Spirits shall be purchased only from the Bonded Depôts established by Government at the following rates :—

(1) Palmyra jaggory and molasses arrack at Re. 0-13-2 per gallon of 25° U. P.

(2) Sugar-cane jaggory arrack of 25° U. P. in reputed quart and pint bottles duly corked and sealed at Rs. 2-2-7 and Rs. 2-10-7, respectively, per gallon or at such other price as may be fixed from time to time.

(*a*) Special liquors referred to above, at such prices as may be fixed by the manufacturers.

(*b*) The quantities purchased at one time shall not fall below one gallon of arrack or three bottles or six pints of other kinds of liquors.

(*c*) The above prices to be charged for palmyra jaggory and molasses arrack, sugar cane jaggory arrack and special liquors, are in addition to the Exciseduty which shall be prepaid at the prescribed rate of Rs. 4-12-0 per gallon of 25° U. P. and proportionately at higher or lower strengths before the removal of the liquor from the Bonded Depôt.

(3) The licensee shall pay the above duty and price into a Taluk Treasury or to a special shroff, if any, appointed on this behalf at the cost of Government, and located at the Taluk Cutcherry to receive such duty and price *daily* including Sundays and holidays or to such other officer as may be appointed by the Deputy Commissioner, and shall obtain a receipt in the prescribed printed form. On production of such receipt the Bonded Depot-keeper shall issue the quantity of liquor equal to the amount of duty and price shown in the said receipt which will be forwarded to the Deputy Commissioner's office under the endorsement of the Bonded Depot-keeper aforesaid, as to the date and hour when the liquor was issued. The Depot-keeper aforesaid shall issue a pass in the prescribed form for the transport of liquor from the Bonded Depot. He shall also issue sample bottles with the consignments in such manner as may be ordered by the Excise Commissioner.

(4) The licensee shall sell palmyra jaggory and molasses arrack to the public at Rs. 6-6-0 per gallon of 25° U. P.,) *i.e.*, at annas two per dram which is equal to 1—51st part of a gallon) and sugar cane jaggory arrack at not less than Rs. 1-3-10 per reputed quart bottle or at such other price as may be fixed from time to time and at proportionate rates for lower strengths. In special localities where molasses arrack is licensed to be sold in quart and pint bottles, the licensee shall sell the same at not less than Rs. 7 per gallon.

(5) The licensee shall be bound to take over any liquor which may remain as stock in hand belonging to the out-going licensee on 1st July 1912 in the shop, paying him such compensation for the same as may be fixed by the Excise Commissioner.

(6) Persons who purchase group of shops may, with the special permission of the Excise Commissioner who is at liberty to refuse it and under a license by a competent authority open a depot and remove thereto liquor purchased from the Bonded Depot and issue therefrom the requisite supply to their shops.

(7) No consignments of arrack received at the shop and which have been transported through British Territory shall be opened before they have been verified by the officers authorized to do so.

(8) The arrack kept in his shop, offered for sale and sold, shall be unadulterated and undiluted, and it shall be of the same quality and strength as issued from the Bonded Depot subject to such margin as may be allowed by the Excise Commissioner from time to time.

Note

(9) No water or other beverage, or liquor other than arrack of any quantity whatever shall be kept or sold in the shop in which arrack is sold, or on the person or in possession of the license-holder or vendor or any of his employees in the shop.

(10) The licensee of every shop in the Cities of Bangalore and Mysore shall pay a registration fee under the Municipal Regulations at the rate of rupees (180) one hundred and eighty per annum in advance for the period of the license for his shop and he shall pay a surcharge of (4) four annas per gallon on all arrack sold by him in excess of 55 gallons a month in each such shop. The amount shall be paid to the officers appointed by the President, Municipal Commission, to receive the same.

Reply of

XI. Conditions applicable to Toddy Licenses.

(1) The exclusive privilege conferred by the license extends to the sale of Date, Palmyra, Cocoanut, Bagani and Dadasal toddy. But in tracts where both

Note.- The licensee shall not open the sample bottle issued to him by the Bonded Depot-keeper with each consignment, till the bulk of the liquor in the consignment is exhausted.

not tap Bagani trees and the licensee of the Bagani toddy shop shall not tap Date trees; but both licensees can tap any of the other palm trees named above.

(2) For the supply of toddy to his shops the licensee shall have the privilege of obtaining, subject to tree-tax rules, toddy-yielding trees in the groves assigned to his shops or groups of shops, and he shall be at liberty to manufacture toddy from the trees in private lands, under private arrangements between himself and the owners of such lands. He may purchase toddy from any licensed toddy shop-keeper on application to the Inspector, who will grant the required permits on proof of the necessity for the same.

(3) No toddy except the produce of trees for the tapping of which a license has been issued shall be kept in the shop or offered for sale or sold.

(4) The licensee shall be responsible to Government for all payments of instalments of fees due on account of tree-tapping licenses granted on his application in his own name or in the names of his nominees under the conditions set forth therein and in the rules relating thereto.

(5) If any instalments are not paid within the time, the tapping license shall be liable to be cancelled or suspended under Section 26 of the Excise Regulation.

(6) In case of default, the Amildar with the Deputy Commissioner's permission, or other officer appointed for the purpose by the Deputy Commissioner, will order the suspension of the tapping license till the arrears are paid up; and if, after receiving notice of such suspension, the defaulter continues to tap the trees, he will be prosecuted for illicit tapping.

(7) Tree-rent at Re. 0-4-5 per annum shall be paid at the time of application for a tapping license for all Government trees applied for being tapped for the supply of toddy shops whether within or outside the Mysore Territories or in the Civil and Military Station, Bangalore.

NOTE.—No trees on Government occupied land can be tapped without the consent of the owner. The present arrangements as regards trees in alienated land will hold good, subject of course, to the levy by Government of tree-tax.

(8) The tapping of date trees is subject to the following conditions:—

(*a*) Date trees shall be tapped only by professional men.

(*b*) Trees tapped one year shall not ordinarily be tapped the next year.

(*c*) Trees shall not be over-tapped or over-worked.

(*d*) In no date trees shall the initial incision be made at any point less than three feet from the ground except in places where permission is specially given by the Deputy Commissioner.

(*e*) The depth and width of the incision shall not exceed one-third of the diameter of the tree, and the length of it shall not exceed eight inches.

(*f*) Every fresh incision shall not be less than one foot above the last incision except in localities where permission is specially given.

(*g*) The central spike-like clusters shall not be touched. Of the lateral leaves not less than two layers of leaves shall be left, reckoning from the layers immediately next to the central clusters down to the top line of the incision; or in other words, above the top line of the incision not less than eight leaves shall be left excluding the central spike-like clusters, on that face of the tree on which the incision is made.

(*h*) The licensee shall not cut or injure or permit to be cut or injured the trees licensed to him or any other trees.

(*i*) The licensee or his employer will be liable to pay a fine of one rupee for each tree in excess of three per cent of the number of trees marked for him, which may die from over-tapping or careless tapping either during the lease or within six months after its expiration. He will be liable to pay a similar fine for every tree which he prepares for tapping if it dies in consequence of such preparation before he taps it.

(*f*) The licensee will not be entitled to compensation for any trees withdrawn or taken up for public purposes or for any trees standing on the banks or beds of irrigation works under the control of the Public Works Department which that department may require to cut down or strip of their leaves or branches.

(*k*) When the licensee makes default and his shop is re-sold, his rights to and claims on Government trees cease and determine.

(9) The licensee shall not interfere with the persons holding license for cutting date leaves for mat-making, rope-making, basket-making, or for agricultural or other

* In the case of trees on Government unoccupied lands reserved for future use, the previous sanction of the Excise Commissioner should be obtained before accepting applications for licensing them.

purposes when they make use of the trees assigned for such purposes, and not reserved for tapping.

(10) Deputy Commissioners may, subject to the orders of the Excise Commissioner from time to time, prescribe the minimum number of trees for which license will be granted, and the minimum number to be entered in a single application. They may also direct that the trees situated in one village only shall be included in an application.

(11) The distillation of spirit from toddy is absolutely prohibited.

(12) If the licensee of a group of shops wishes to establish a depot for depositing toddy required for distribution to his shops, he shall obtain a license for it in the prescribed form. The passes issued with the toddy transported, shall be subject to examination and check by the officers authorized in this behalf.

(13) Tree-foot sales or sales in the open or the disposal of toddy in any other manner unauthorised by the rules, are strictly prohibited. Provided, however, that in Bagani tracts, the licensee who has purchased the right of vend of Bagani toddy, may permit the tapping of Bagani trees for domestic consumption as well as for sale within the limits of the village purchased by him.

(14) The licensee or his vendors shall not sell to any person more than three measuring seers of toddy to be consumed by the person at one time in the shop, nor shall it be sold to the public at less than the retail-rates fixed by Government and mentioned in the Schedule. Toddy can be removed without a permit for consumption up to the limit of one imperial gallon or four seers.

(15) In every grove where toddy-yielding trees are tapped, a ladder shall always be kept by the tap-man to enable Excise Officers to examine spathes or incisions as the case may be.

(16) The licensee shall pay the usual mohatarfa tax on carts used for conveying toddy but such carts shall not be impressed for Government work.

(17) The following rules shall regulate the issue, etc., of licenses under Section 12 of the Mysore Excise Regulation, V of 1901, for the tapping of toddy producing trees and for the drawing of toddy therefrom :—

1. Tree-tapping licenses in the prescribed form shall be issued on the application—

   (*a*) of licensed toddy shop-keepers or of their duly authorized agents

   (*b*) of toddy shop-keepers or renters in the Madras Presidency; and

   (*c*) of tree-owners in coffee estates, hittals and kans in malnad free of the prescribed tree-tax for drawing toddy for *bona fide* domestic purposes as per Government Order No. 11897-906—Excise 485, dated 28th June 1898, for such number of trees as may be found necessary by the Excise Commissioner.

The licenses may be issued in the name of applicant himself or of his nominee.

2. Application for the grant of tree-tapping licenses must be made in the prescribed form to the Excise Inspector of the Range concerned through the local Treasury. Forms may be obtained from him or the Assistant Inspectors under him. Applicants must first pay the first instalment of tree-tax together with the tree-rent on Government trees due on account of the trees which they desire to tap.

3. The tree-tax on toddy produced by trees in the Madras Presidency but consumed in the Mysore State, will be credited to the Mysore Government. The rate of tree-tax to be paid in such cases will invariably be the highest in force on either side of the frontier. Tree-tax on trees in the Madras Presidency for which tapping licenses are about to be taken out by Mysore shop-keepers, must be paid in one instalment to the Amildar of the taluk concerned in the Mysore State, who will grant a receipt in the prescribed challen form and certify at the foot that the applicant is a person entitled to take out tree-tapping licenses. The applicant will then make his application to British authorities in accordance with the Madras Government Tree-tapping Rules; and will obtain a transport permit from the Inspector concerned in the Mysore State for the transport of the toddy drawn from the frontier to the shop or depot for which it is intended, after having complied with all requirements of the Madras Government Rules.

4. Applications for tree-tapping licenses, for trees in occupied or alienated lands, should be countersigned by the owner of the trees intended to be marked, in token of his consent and such countersignature shall, in the case of illiterate owners, be attested by the patel or shanbhog of the village in which the trees stand. Applications for tree-tapping licenses for trees in the State Forest and

plantations should be countersigned by the Forest Range Officer in token of his consent.

5. On receipt of an application, the Inspector will at once take steps for the marking of the tree by an officer superior in rank to a Sub-Inspector, or in special cases by an officer not inferior in rank to a Sub-Inspector and for the timely issue of the license. Applicants for date trees shall get the requisite spaces on their stems prepared and point out to the marking officer, when required by the latter to do so, the trees applied for by them. Should they fail to do so, after reasonable notice, the tree-tax and tree-rent paid by them shall be liable to be forfeited at the Deputy Commissioner's discretion.

6. No tree shall be tapped, nor shall toddy be drawn from any toddy tree, nor shall any pot be attached to any toddy tree until the tree has been marked by the proper officer. But the removal of leaves for the purpose of making incisions and the preparation of the spathes or incisions for the drawing of toddy is permitted as soon as the application in the prescribed form has been delivered to the Treasury concerned.

7. For all toddy-yielding trees, tree-tapping licenses shall be annual, from the 1st July to the 30th June next irrespective of the time when the application for a tree-tapping license is made. For the convenience of the licensee, the applications for tree-tapping licenses will be received, trees will be marked, and licenses will be issued during the fifteen days and pots may be attached to such marked trees during the eight days, immediately preceding the period to which they relate to take effect from the commencement of such period. Provided that no toddy shall be removed from the trees except during the currency of such license.

8. The following shall be the fees payable on account of each tree for the tapping of which license is applied for :—

Description of trees.	*Rates of tree-tax per tree per annum.* Rs. a. p.
Date	... 1 8 0
Cocoanut	... 2 6 0
Palmyra	... 1 12 0
Bagani or sago	... 2 0 0
Dadasal (Arenga wightii)	... 0 12 0

NOTE.—The licenses will be free of tax to the Mysore Government in the cases specified in clause 17 (1) *(c) supra.*

9. The tree-tax shall be payable in the following instalments, unless the Excise Commissioner shall otherwise direct :—

Period within which license is applied for	Proportion of tree-tax to be paid at the time of application for license	Proportion of tree-tax to be paid on the last day of the second month
Between 1st July 1912 and 31st March 1913	One-half ...	The remaining half
Between 1st April 1913 and 30th June 1913	The whole	.....

XXII. Conditions applicable to Ganja Licenses.

(1) The privilege conferred extends only to the sale of ganja and other intoxicating drugs prepared from the hemp plant.

(2) All ganja or other preparations and admixtures of ganja (except halva, which may be made from the powder on the retail vendor's hand, under authority of the Inspector for sale to the public and on the responsibility and at the risk of the vendor), shall be purchased from Government only, and shall be covered by a permit in the prescribed form.

(3) ~~The price of~~ Ganja and majum shall be sold at such prices as may be fixed hereafter and these prices shall be in addition to Excise duty, at the rate of Rs. 7-8-0 per seer of ganja and Rs. 1-8-0 per seer of majum.

(4) The licensee shall pay the above duty and price into a Taluk Treasury and shall obtain a receipt in the prescribed printed form. On production of such receipt

the Taluk Treasury shall issue the quantity of ganja equal to the amount of duty and price shown in the said receipt. In the case of majum, however, the receipt should be produced to the Bonded Depot-keeper who shall issue the quantity of majum equal to the amount of duty and price shown in the receipt under cover of a pass in the prescribed form.

(5) The licensee shall sell ganja at not less than Rs. 10 for a seer of 80 tolas or not less than annas two per tola and at not less than Rs. 2-1-4 for a seer of majum or not less than 5 pies per tola.

(6) The licensee shall be bound to take over any drugs which may remain as stock in hand belonging to the out-going licensee on the 1st of July 1912 paying to the latter such compensation for the same as may be fixed by the Deputy Commissioner.

(7) The licensee shall not sell to any person more than four tolas of ganja during one day on any pretence whatever.

(8) The consumption of ganja in the shop or the selling of the same to persons keeping ganjakhanas or such secret places where people congregate to smoke or partake of ganja is prohibited.

(9) No female shall be employed in the sale of intoxicating drugs.

XXIII. Conditions applicable to Opium Licenses.

(1) The licensee shall be bound by the rules prescribed under the Opium Act now in force, or such other law as may hereafter be enacted, in the Notifications of Government and of the Excise Commissioner and any additional general or special rules which may from time to time be notified.

(2) The smoking or consumption of opium or its preparations in any form in premises licensed for sale and the sale of morphia or preparations for smoking are prohibited.

(3) No shop shall be opened without a license from the Deputy Commissioner. The usual counterpart agreements must be executed by the licensees.

(4) Private persons are permitted to manufacture intoxicating drugs and smoking preparations for their own use only, provided they do not exceed the limit for possession.

(5) Shop-keepers shall obtain their supply of opium from any Taluk or District Treasury in entire cakes of twenty tolas (more or less) at a time at the prescribed rate of 7½ annas per tola. The purchase shall be covered by a pass in the prescribed form.

(6) No opium other than that obtained in the manner specified above shall be sold, received or possessed by shop-keepers. Nor shall any items of food or drink be vended in any retail opium shop.

(7) The privilege conferred extends only (*a*) to the retail sale of opium and (*b*) to the manufacture and retail sale of intoxicating drugs made from opium or the poppy other than morphia or preparations for smoking, in shops duly sanctioned.

(8) The licensee shall sell opium to the public at any rate he may fix for a tola.

(9) The licensed shop-keeper may not sell at one time to any person more than ~~three~~ one tola of opium or intoxicating drugs.

(10) The licensee shall keep no greater quantity of opium or intoxicating drugs other than morphia or preparations for smoking, than that fixed by the Deputy Commissioner at the time of granting the license.

(11) The licensee shall be bound to take over any opium or preparations or admixtures of opium or intoxicating drugs prepared from the poppy which may remain as stock in hand belonging to the out-going licensee on the 1st July 1912 paying to the latter such compensation for the same as may be fixed by the Deputy Commissioner.

7. The Taluk Treasury aforesaid shall issue a pass in the prescribed form for the transport of Ganja.

For Excise Commissioner
in Mysore

DATE OF SALE.

District	Taluk	Date
Bangalore.		April 1911
	Bangalore	20
	Kankanhalli ...	24
	Channapatna ...	27
	Magadi	29
		May 1911
	Nelamangala ...	2
	Dodballapur ..	4
	Devanhalli	6
	Hoskote	10
	Anekal	12
Kolar.		April 1911
	Kolar	22
	Mulbagal	24
	Srinivaspur ...	26
	Chintamani ...	28
		May 1911
	Sidlaghatta ...	1
	Chikballapur ...	4
	Bagepalli	8
	Goribidnur	11
	Malur	15
	Kolar Gold Fields and Bowringpet ...	*24
Tumkur.		April 1911
	Tumkur	22
	Kunigal	26
	Gubbi	29
		May 1911
	Tiptur	2
	Chiknayakanhalli ...	6
	Sira	10
	Maddagiri	13
	Pavagada	17
Mysore.		May 1911
	Nanjangud	2
		April 1911
	Yelandur	22
	Chamrajnagar ...	25
	Gundlupet	28
		May 1911
	Heggaddevankote ...	8
	Hunsur	10
	Yedatore	12
	Krishnarajpete ...	17

District	Taluk	Date
Mysore—concld.		May 1911
	Nagamangala ...	20
	Mandya	24
	Malvalli	27
		April 1911
	T.-Narsipur ...	20
		May 1911
	Mysore	4
	Seringapatam ...	15
Hassan.		April 1911
	Arsikere	21
	Channarayapatna ...	24
	Hole-Narsipur ...	26
	Arkalgud	28
		May 1911
	Manjarabad ...	4
	Belur	8
	Hassan	1
Kadur.		April 1911
	Chikmagalur ...	21
	Mudgere	24
	Koppa	29
		May 1911
	Yedahalli † ...	2
	Tarikere	5
	Kadur	10
Shimoga.		May 1911
	Shimoga	15
	Channagiri ...	12
	Honnali... ...	8
	Shikarpur... ...	5
	Sorab	2
		April 1911
	Sagar	29
	Nagar	25
	Tirthahalli ...	21
Chitaldrug.		May 1911
	Chitaldrug ...	2
	Hiriyur	24
		April 1911
	Hosdurga ...	24
	Holalkere	26
	Davangere ...	29
		May 1911
	Jagalur	5
	Molakalmuru ...	15
	Challakere.. ...	10

* Gold Fields Magistrate's Court.

† Deputy Amildar's office.

H. H. SPARKES,

Excise Commissioner in Mysore.